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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,808	12/30/2003	Herve Mongin	1013-032	1846
22429	7590	03/23/2006	EXAMINER	
LOWE HAUPTMAN GILMAN AND BERNER, LLP 1700 DIAGONAL ROAD SUITE 300 /310 ALEXANDRIA, VA 22314			NGO, HUNG V	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 03/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/747,808	Applicant(s) MONGIN ET AL.	
	Examiner Hung V. Ngo	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-15 is/are allowed.
- 6) ☒ Claim(s) 1-5, 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 6-10 and 18-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

Claims 14, 17 objected to because of the following informalities:

Claims 14, line 2, "and/or" are confusing.

Claim 17, line 4 is unclear

.Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 16, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Harari et al. (US 6,381,662).

Regarding claim 1, Harari et al. discloses in Fig. 1 an adapting element (10) for at least one programmable electronic holder (20), having a surface size larger than that of all programmable electronic holders (20) (see Fig. 5A), the programmable electronic holder being arranged to be personalized in a personalization machine (200), the size of the adapting element enabling the adapting element to be driven in the personalization machine (Fig 1), the adapting element including a housing having shape and size to house and maintain at least one programmable electronic holder, and first communication means or receiver (12,212) enabling it to receive personalization data, via contact or contact-less link, from a personalization device of a personalization

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machine, and second communication means or transmitter arrangement (14,24) for enabling it to transmit said personalization data to the programmable electronic holder 24 via contact or contact-less link and capable of functioning as claimed.

Regarding claim 2. The adapting element according to claim wherein the second communication means are at least one holder connector 24, able to maintain at least one programmable electronic holder 20, and electric or optical links, ensuring the link between the holder connector and the first communication means 12 of the adapting element 10.

Re claim 17, a plurality of adapting elements (Fig 5a) to and from the personalized machine (Fig 1)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harari et al in view of Fehrman et al (US 6,193,163).

Regarding claims 3-5, Harari et al. do not disclose that the communication means are contact-less links via an antenna. However, Fehrman et al. teaches an adapting element in Fig. 9 wherein the communication means is a contact-less link via an antenna (col. 1, lines 25-28). it would have been obvious to one having ordinary skill in the art at the time the invention was made to have the communication means in the

form of a contact-less link via an antenna as taught by Fehrman et al. so that data may be transferred without having to make direct electrical contact with the adapting element, electronic holder, and personalization machine.

Allowable Subject Matter

Claims 11-15 are allowed

Claims 6-10, 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter the prior art alone or in combination does not teach or fairly suggest a use of a plurality of identical adapting elements in a personalization machine, the personalization machine comprising an unstacking system to unstack adapting elements and a stacking system to stacking adapting elements, an insertion system to insert electronic holders in the adapting elements and a removal system to remove electronic holders in the adapting elements, a driving system to drive the adapting elements through the personalization machine, and a communication system between a database and the electronic holders, taken in combination with the other claimed features.

Response to Arguments

Applicant's arguments filed 11-30-05 have been fully considered but they are not persuasive.

Applicant argues (1) that Harari et al does not disclose the programmable electronic holder to be personalized in a personalization machine and the adapting

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element to be of a sized for enabling to be received by the personalization machine which enables the adapting element to be driven in the personalization machine.

With respect to (1), the programmable electronic holder (20) being arranged to be personalized in a personalization machine (200), the size of the adapting element (10) enabling the adapting element to be driven in the personalization machine (Fig 1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hung V Ngo

HVN
03-16-06

**HUNG V. NGO
PRIMARY EXAMINER**